

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 2:93-CV-317
)	
vs.)	
)	
GLENN S. MARTIN JR.,)	
)	
Defendant.)	

MEMORANDUM IN SUPPORT OF MOTION TO RENEW JUDGMENT LIEN

The United States of America, by and through J. Douglas Overbey, United States Attorney for the Eastern District of Tennessee, hereby submits its memorandum in support of its Motion to Renew Judgment Lien.

The Court entered a Judgment against Defendant on September 30, 1997.¹ The United States recorded an Abstract of Judgment in Appomattox County, Virginia on September 25, 1998.² The recorded Abstract of Judgment is attached hereto as Exhibit 1. The Federal Debt Collection Procedures Act (“FDCPA”) provides that judgment liens are effective, unless satisfied, for a period of twenty years. 28 U.S.C. § 3201(c)(1). The FDCPA also provides that a

lien may be renewed for an additional period of 20 years upon filing a notice of renewal in the same manner as the judgment is filed and shall relate back to the date the judgment is filed if –

¹ Defendant has made minimal payments on the Judgment. As of the date of this motion, Defendant’s outstanding balance is \$7,255,561.71.

² The United States has recorded seven liens against Defendant in various counties on different dates. The Court has already granted a motion to renew the lien in Washington County, Tennessee. (Doc. 359.) After the lien in Appomattox County, Virginia, which is the subject of this motion, the next lien is set to expire in 2025.

(A) the notice of renewal is filed before the expiration of the 20-year period to prevent the expiration of the lien; and

(B) the court approves the renewal of such lien under this paragraph.

28 U.S.C. § 3201(c)(2).

Under the terms of the FDCPA, the United States' judgment lien in this matter is set to expire on September 25, 2018. Pursuant to 28 U.S.C. § 3201(c)(2), the United States respectfully requests that the Court enter an order approving the renewal of the judgment lien and its relation back to the date the judgment was filed so that it may file a Notice of Renewal to prevent the expiration of the lien. A proposed Order is attached hereto as Exhibit 2.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2018 a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. A copy was sent by regular U.S. Mail to:

RRM Nashville
Residential Reentry Office
Glenn S. Martin, Jr. (BOP# 11372-074)
701 Broadway Street, Suite 124
Nashville, TN 37203

By: s/Kenny L. Saffles
Kenny L. Saffles
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